## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

STEVEN M. TRUST,	)	
	)	
Plaintiff,	)	
	)	
V.	)	No. 4:09CV1208 AGF
	)	
UNKNOWN HIGGINBOTHAM, et al.,	)	
	)	
Defendants.	)	

## **ORDER**

This matter is before the Court on Plaintiff's motion for relief from judgment under Rule 59(e). The motion is premature because Rule 59(e) only applies to final judgments. Fed. R. Civ. P. 54(a); Fed. R. Civ. P. 59(e). And construing the motion as a motion for reconsideration, the Court finds that it lacks merit. As a result, the motion will be denied.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for relief from judgment [#46] is **DENIED**.

Dated this 17th day of May, 2010.

/s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE